

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 1:11-cr-10021-JDB-1

ERIC LAMONT HENNING,

Defendant.

ORDER DIRECTING CLERK TO MODIFY DOCKET AND OPEN CASE

Defendant, Eric Lamont Henning, has filed a document styled “Collateral Attack,” in which he asserts that he is entitled to relief from his sentence based on the alleged ineffective assistance of counsel and the “[m]isinterpretation of [his] [s]tatute” of conviction in light of *Rehaif v. United States*, 139 S. Ct. 2191 (2019). (Docket Entry (“D.E.”) 40 at PageID 82.) Defendant has also filed two documents in support of his request for relief from his sentence. (D.E. 41; D.E. 42.) Because the document styled “Collateral Attack” is in the nature of a 28 U.S.C. § 2255 motion to vacate, set aside, or correct sentence, the Clerk is DIRECTED to open a new case and file the documents at D.E. 40, 41, and 42 as a § 2255 motion, a motion for expedited ruling, and motion for summary judgment, respectively. The Clerk is further DIRECTED to terminate the motion at D.E. 42.

IT IS SO ORDERED this 8th day of July 2020.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE